

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BRANAUN GALENTINE, §
Plaintiff, §
§ Civil Action No. 4:24-CV-00050
v. §
§ Jury Demanded
CITY OF COLLEGE STATION, et al., §
Defendants. §

COLLEGE STATION'S NOTICE OF REMOVAL

The City of College Station, a Defendant in this civil action, file this notice of removal pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) and (b).

I. IDENTITY OF STATE COURT ACTION BEING REMOVED

1. The civil action being removed was initiated as *Galentine v. City of College Station, et al.*, in the 472nd District Court of Brazos County, Texas, and was assigned docket number 24-002325-CV-472.

II. BASIS FOR REMOVAL

2. College Station is entitled to remove this case to this Court pursuant to 28 U.S.C. §§ 1331, 1441 and 1446 because this is a civil action involving claims arising under the Constitution, laws, or treaties of the United States. On August 16, 2024, Plaintiff, Branaun Galentine, filed Plaintiff's Original Petition in the 472nd District Court of Brazos County, Texas. Plaintiff's Original Petition raises a federal cause of action, pursuant to 42 U.S.C. § 1983, for alleged "Federal Malicious Prosecution, False Imprisonment, Fourth Amendment Unlawful Seizure,

Retaliation and Conspiracy to Obstruct Justice” and claims entitlement to attorney’s fees pursuant to 42 U.S.C. § 1988. Plaintiff’s Original Petition, pp. 3-4.

III. JURISDICTION

3. This Court has original jurisdiction of this action under 28 U.S.C. §§ 1331, 1343 and 1441 because Plaintiff has alleged violations of the United States Constitution and asserted claims for recovery under federal law.

IV. VENUE

4. Venue is proper in the Southern District of Texas, Houston Division, pursuant to 28 U.S.C. § 1441(a) and 1446(a) because the state court action is pending in Brazos County, Texas, which is within this judicial district and division.

V. COLLEGE STATION HAS COMPLIED WITH THE REQUIREMENTS FOR REMOVAL

5. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b). College Station received Plaintiff’s Original Petition in the state court proceedings on December 13, 2024, when it was sent by the District Clerk of Brazos County via restricted mail to Bryan Woods, College Station’s city manager. This pleading asserted federal claims. This notice of removal is being filed within thirty (30) days of receipt of the original pleading.

VI. STATE COURT PROCESS, PLEADINGS AND ORDERS

6. College Station Defendants will give notice of filing of this notice of removal to all parties of record pursuant to 28 U.S.C. § 1446(d). College Station will also file with the clerk of the state court, and will serve upon Plaintiff and other parties to this suit, a notice of the filing of this notice of removal.

7. College Station has attached to this notice of removal copies of: (a) all executed process filed with the state court; (b) the state court pleadings; (c) all orders signed by the state court judge (if any); (d) the state court docket sheet; (e) an index of matters being filed; and (f) a list of all counsel of record, as required by 28 U.S.C. § 446(a) and Local Rule 81 of the United States District Court, Southern District of Texas.

8. To College Station's knowledge, Plaintiff has served or attempted service on other named Defendants, Brazos County and the City of Bryan. Consequently, College Station has obtained each of the other Defendants' consent to removal. 28 U.S.C. § 1446(b)(2)(A). College Station has fulfilled all procedural requirements to timely remove the State Court Action.

VII. JURY DEMAND

9. The College Station Defendants request a trial by jury.

VIII. EXHIBITS

10. Pursuant to Rule 81 of the Local Civil Rules for the Southern District of Texas, the following documents are attached to this notice of removal as corresponding lettered exhibits:

Exhibit A Index of Matters Being Filed – (with the referenced state court documents attached and labeled as Exhibits A-1, et seq.)

Exhibit B A list of all counsel of record

Respectfully submitted,

OLSON & OLSON, L.L.P.

By: /s/ Andrea Chan
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***Attorney for Defendant,
City of College Station***

CERTIFICATE OF SERVICE

I certify that on the 6th day of January, 2025, a copy of *College Station's Notice of Removal* was electronically filed and served on all parties listed below using the Court's EF/CM system pursuant to Federal Rule of Civil Procedure 5 and United States District Court for the Southern District of Texas Local Rule 5:

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